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SUBJECT: SENATOR FEINGOLD MEETS INDONESIAN HUMAN RIGHTS AND  
LEGAL REFORM ADVOCATES

#### SUMMARY

1. (SBU) Senator Russ Feingold met February 23 with Indonesian human rights and judicial reform NGOs, and expressed strong support for the promotion of human rights in Indonesia and justice for past abuses. Human rights advocates expressed disappointment at lack of progress in accountability for significant human rights violations. Participants noted that Indonesia's justice system remained weak, corrupt, and poorly funded, and they linked judicial reform with human rights accountability. They debated President Yudhoyono's commitment to human rights, mentioning his military background as a factor. NGOs expressed cautious optimism regarding Aceh. The advocates emphasized the continued importance of civil society organizations, like their own, for advancing democracy and human rights. End Summary.

#### SENATOR MEETS FIVE LEADING NGOS

2. (SBU) Senator Feingold, accompanied by professional staff member Grey Frandsen and Embassy officers, hosted a February 23 lunch for representatives of five leading human rights and judicial reform NGOs: Rafendi Djamin, Coordinator of the Human Rights Working Group; Bivitri Susanti, Executive Director of the Center for Indonesian Law and Policy Studies; Uli Sihombing, Director of the Jakarta Legal Aid Society; Papan Hidayat of the Commission for Disappearances and Victims of Violence (KONTRAS); and Ibrahim Assegaf, Managing Director of Hukum Online.com.

#### ACCOUNTABILITY CRITICAL, BUT LACKING

3. (SBU) The Senator explained his strong support for the promotion of human rights in Indonesia and accountability for past abuses, including the 1999 crimes in East Timor. He asked for perspectives from the NGOs and broader society. The human rights advocates described their disappointment with the lack of accountability for past gross violations, and said impunity for past crimes hurt the current human rights climate. Protection of human rights had not matched the country's democratic progress. The NGO figures noted examples of failed attempts to convict security force members for gross human rights violations, including the East Timor tribunal, the Abepura trial, and the Tanjung Priok tribunal.

They highlighted the example of murdered human rights campaigner Munir, in which the government has yet to bring to justice senior actors believed responsible for the conspiracy. In response to a question about public backing for accountability, all agreed that the Indonesian public supported justice. One participant stated that the average voter would care about accountability and rule of law if they saw the connection between these and issues that impacted their quality of life. He argued that the average Indonesian increasingly understands that connection, citing as an example the popular fight against corruption.

#### WEAK JUSTICE SECTOR, POORLY FUNDED

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14. (SBU) Participants noted that Indonesia's justice system, particularly the courts, remained weak, corrupt, and poorly funded. Participants clearly linked judicial reform with efforts to achieve human rights accountability. Indonesians, who historically never had a strong belief in the integrity of the judicial system, had lost faith in the rule of law. The newly-achieved independence of the judicial branch, gradually separated from the executive branch under political reforms since the fall of President Suharto, risked the unintended consequence of weakening the accountability of the courts. Senator Feingold noted the statement of a senior Indonesian official to the effect that the government "lacked sufficient logistics" to ensure justice in human rights cases. Participants agreed this was unacceptable, but confirmed that the justice sector faces serious funding constraints to the extent that some courts cannot pay their utility bills.

#### YUDHOYONO'S MISSED OPPORTUNITY

JAKARTA 00002514 002 OF 002

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15. (SBU) One NGO representative stated that President Yudhoyono was missing an opportunity as Indonesia's first directly elected president, and therefore arguably it's most legitimate leader, to do much more to protect human rights. He said that Yudhoyono succeeded in making Indonesia a signatory to two more international treaties on human rights, but that this represented only normative progress. He believed that Yudhoyono, as a retired general, catered too much to the military, noting Yudhoyono's decision to reaffirm the military's territory command structure and grant vaguely defined arrest powers to the military for the purposes of fighting terrorism. Another participant asserted that Yudhoyono may care about human rights, but he carried too much "military baggage." Participants also noted that Indonesia's entrenched bureaucracy impeded change and could frustrate the President's directives.

#### ACEH

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16. (SBU) NGO participants credited Yudhoyono with starting the Aceh peace process even before his inauguration, while noting that the tsunami provided a major impetus for the sudden breakthrough in talks. A participant stated that the Law on Governing Aceh now pending before the national legislature, and the law's treatment of autonomy, could provide a positive example for governance in other provinces. While the new legal framework for Aceh would create a new political sphere that politicians may try to manipulate, the NGOs representatives appeared cautiously optimistic that Aceh would achieve stability under the framework of the peace accord.

#### IMPORTANCE OF CIVIL SOCIETY

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17. (SBU) One participant argued that the future direction of Indonesia will largely depend on civil society because

politicians could not be trusted to lead the country in the right direction. NGO leaders agreed that there is political space for organizations to have critical discussions about government policies. Political space existed before Yudhoyono took office, and even under Suharto. Unlike before, however, government now invited civil society to discussions, and if there were disagreements, those with differing opinions could advocate in the media. Civil society often formed interest groups focused on specific issues and laws, and such groups attempted to lobby the national legislature. The government's view, however, usually triumphed due to Yudhoyono's backing by parties included in his cabinet. Participants called for continued international donor support to civil society organizations, and Embassy representatives explained the Mission's strong commitment in this area.

18. (U) Codel Feingold has cleared this message.  
PASCOE